OIPE
MAR 16 2004
PATENT & TRADEMARK OFFICE

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **"APPARATUS AND METHOD FOR TAUT SHEATH SPLICING OF ALL-DIELECTRIC, SELF-SUPPORTING FIBER OPTIC CABLE"**

the specification of which ☐ is attached hereto
☒ was filed on June 27, 2003 as Application Serial No. 10/607,646
and was amended on _____ (*if applicable*).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
(Number)	*(Country)*	*(Day/Month/Year Filed)*	☐ Yes	☐ No
(Number)	*(Country)*	*(Day/Month/Year Filed)*	☐ Yes	☐ No

I hereby claim the benefit under Title 35, United States Code, §119(e) or §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Appln. Serial No.)	*(Filing Date)*	*(Status—patented, pending, abandoned)*
(Appln. Serial No.)	*(Filing Date)*	*(Status—patented, pending, abandoned)*

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Tracey D. Beiriger (Reg. No. 37402), Glenn E. Klepac (Reg. No. 26474), Matthew W. Smith (Reg. No. 35366), David W. Pearce-Smith (Reg. No. 31285), Gary P. Topolosky (Reg. No. 31888), David P. Maivald (Reg. No. 42831), Gary A. Nitowski (Reg. No. 52497)

Address all telephone calls to Tracey D. Beiriger, Esq. at telephone no. (724)337-2779
Alcoa Inc.
Alcoa Technical Center
100 Technical Drive
Alcoa Center, PA 15069-0001

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Guyton P. Swindell

Inventor's signature Guyton P. Swindell Date 08 AUG 03

Residence Simpsonville, SC Citizenship U.S.A.

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Duncan, SC 29334

Full name of second joint inventor, if any Douglas M. Duke

Inventor's signature Douglas M. Duke Date 8th August 2003

Residence Simpsonville, SC Citizenship U.S.A.

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Full name of third joint inventor, if any Mark A. Boxer

Inventor's signature Mark A. Boxer Date 08 August 2003

Residence Spartanburg, SC Citizenship U.S.A.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of	)	
Guyton P. Swindell et al.	)	
Serial No. 10/607,646	)	
Filed June 27, 2003	)	Group Art Unit 3726
Confirmation No. 2684	)	Docket No. 02-1868 / 370021-00026
For Apparatus and Method for Taut Sheath Splicing of All-Dielectric, Self-Supporting Fiber Optic Cable	)	

DECLARATION

March 16, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I hereby declare that:

1) The above-identified patent application was filed on June 27, 2003.
2) The inventors executed the Declaration for Patent Application form on August 8, 2003. I put the executed form into the file jacket awaiting receipt from the Patent Office of the Notice to File Missing Parts of Nonprovisional Application.
3) The Notice to Filing Missing Parts and the Filing Receipt was not received. I was not concerned for awhile since I had been noticing that many Filing Receipts and Notice to File Missing Parts were coming in much later than originally expected (some took 6 months to receive).
4) On February 19th, I realized how late this particular one was getting. I double-checked the file jacket and checked our database docket. The Notice to File Missing Parts and Filing Receipt was never received. I left a voice mail at the Patent Office

Pending Applications Branch (ph. 703-305-1801) inquiring as to the whereabouts of the Notice to Filing Missing Parts and the Filing Receipt. No return telephone call was made by the Patent Office.

5) On March 1st, I called the Patent Office Application Branch (ph. 703-308-1202). A gentleman said that the forms were mailed out on September 25, 2003. He said he would fax a copy of the Filing Receipt and Notice to File Missing Parts to me. No facsimile was received.
6) On March 10th, I again telephoned the Application Branch, and Ms. Stokes sent a facsimile of the Filing Receipt and Notice to File Missing Parts.
7) The Notice to File Missing Parts not only was requesting submittal of the executed Declaration for Patent Application, but it also requested a substitute specification and replacement drawings. The specification and drawings that I submitted with the filing of the patent application were in good condition.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC §1001 and that such willful false statements may jeopardize the validity of this application or any patent issued thereon.

Respectfully submitted,

Marie E. Kacin

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